

8-25-1998

## State Officers' Compensation. Voter Approval.

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Political Reform  
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**BILL JONES**  
*Secretary of State*  
*State of California*

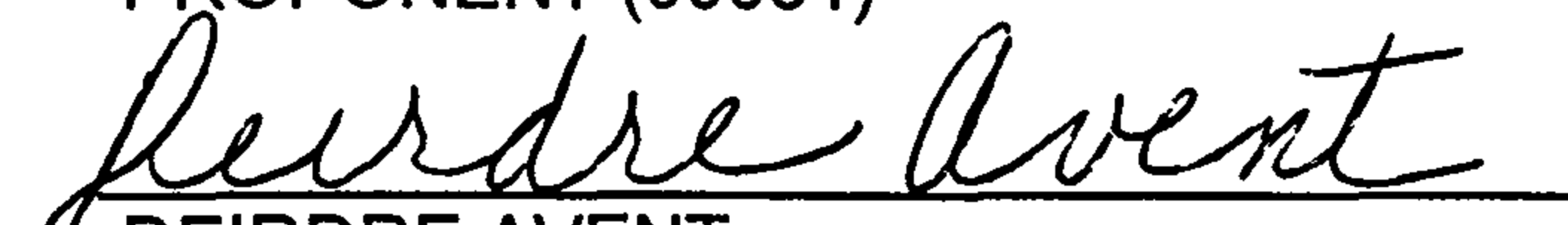
**ELECTIONS DIVISION**  
(916) 657-2166  
1500 - 11<sup>th</sup> STREET  
SACRAMENTO, CA 95814  
Voter Registration Hotline  
1-800-345-VOTE  
For Hearing and Speech Impaired  
Only  
1-800-833-8683  
e-mail: comments@ss.ca.gov

February 3, 1999

**#823**

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND  
PROPONENT (99031)

FROM:

  
DEIRDRE AVENT  
Elections Analyst

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: STATE OFFICERS' COMPENSATION. VOTER APPROVAL.

SUMMARY DATE: August 25, 1998

PROPONENT: Mark J. DeSio



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e-mail: comments@ss.ca.gov

August 25, 1998

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENTS (98324)  
FROM:   
DEIRDRE AVENT  
ELECTIONS ANALYST  
SUBJECT: INITIATIVE #823

RECEIVED

AUG 27 1998

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**STATE OFFICERS' COMPENSATION.  
VOTER APPROVAL.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Mark J. DeSio  
P.O. Box 455  
Davis, CA 95617  
(530) 750-3224



#823  
STATE OFFICERS' COMPENSATION.  
VOTER APPROVAL.  
INITIATIVE CONSTITUTIONAL AMENDMENT.

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: ..... 693,230  
California Constitution, Article II, Section 8(b)
2. Official Summary Date:..... Tuesday, 08/25/98  
Elections Code section (EC§) 336
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (EC §336) ..... Tuesday, 08/25/98
  - b. Last day Proponent can circulate and file  
with the county. All sections are to be filed at the  
same time within each county (EC §336, 9030(a)) .....Friday, 01/22/99
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (EC §9030(b))..... Wednesday, 02/03/99  
  
(If the Proponent files the petition with the county on a date prior to 01/22/99,  
the county has eight working days from the filing of the petition to determine the  
total number of signatures affixed to the petition and to transmit the total to the  
Secretary of State) (EC §9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures,  
and notifies the counties (EC §9030(c)).....Friday, 02/12/99
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(EC §9030(d)(e)) ..... Monday, 03/29/99



**INITIATIVE #823**

**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 02/12/99, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 762,553 or less than 658,569 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 658,569 and 762,553 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures (EC §9030(f)(g); 9031(a)) ..... Thursday, 04/08/99

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)). ..... Thursday, 05/20/99

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 04/08/99, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033)..... Monday, 05/24/99





## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 123 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation in printing, typing and otherwise preparing your initiative petition for circulation and signatures, Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq. A brief summary is attached for your reference.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures



DANIEL E. LUNGREN  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550  
Public: (916) 445-9555

Facsimile: (916) 323-2137  
(916) 324-5490

August 25, 1998

FILED  
In the office of the Secretary of State  
of the State of California

AUG 25 1998

Bill Jones  
Secretary of State  
1500 - 11<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sacramento, California 95814

RE: INITIATIVE TITLE AND SUMMARY  
SUBJECT: STATE OFFICERS' COMPENSATION. VOTER APPROVAL.  
INITIATIVE CONSTITUTIONAL AMENDMENT.  
FILE NO: SA 1998 RF 0017

BILL JONES, Secretary of State  
By *Deirdre Advent*  
Deputy Secretary of State

Dear Mr. Jones:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent are as stated on the declaration of service.

Sincerely,

DANIEL E. LUNGREN  
Attorney General

*Connie Lemus*  
CONNIE LEMUS  
Initiative Coordinator

CL:fec  
Enclosures



Date: August 25, 1998  
File No.: SA 98 RF 0017

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

STATE OFFICERS' COMPENSATION. VOTER APPROVAL. INITIATIVE  
CONSTITUTIONAL AMENDMENT. Reduces salaries, benefits, and per diem rates for Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, Members of Board of Equalization, and Members of Legislature to levels existing on December 31, 1997. Makes per diem payments to state officers taxable to extent taken. Permits increases in state officers' salary, benefits, and per diem rates only upon recommendation of Citizen Compensation Commission and approval of simple majority of voters in statewide general election. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure could result in savings, costs, and revenues to the state. The net fiscal effect is unknown, but is probably not major. The measure could also result in unknown, probably minor, costs to counties.



**Mark J. DeSio**

**PO Box 455  
Davis, CA 95617  
(530) 750-3224**

**RECEIVED**

JUL 10 1998

July 8, 1998

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Connie Lemus, Initiative Coordinator  
Office of the Attorney General  
PO Box 944255  
Sacramento, CA 94244-2550

Dear Ms. Lemus:

I kindly request that the Office of the Attorney General provide a title and summary for the measure I provided today, July 8.

I appreciate your immediate attention to this matter. I am hoping for a title and summary as soon as possible. Thank you. Please call me at the number above if you have any questions.

Sincerely,



Mark J. DeSio





SECTION 1. Title

This measure shall be known and may be cited as The Salary and Per Diem for Elected State Officers Reform Act.

SECTION 2. Findings and Declarations

(a) The People of the State of California find and declare that salaries of elected State officers should not be established by an unelected Commission made up of persons appointed by politicians.

(b) Per Diem for elected state officers should not be tax free, if taken.

(c) In order to prevent abuse, limits on salary and per diem should be imposed.

(d) Therefore, the People of the State of California hereby enact "The Salary and Per Diem for Elected State Officers Reform Act" to restore accountability and impose reasonable limits on the salaries and per diem of elected State officers.

SECTION 3. Compensation of Elected State Officers.

Article III, Section 8, Subdivision (g) of the California Constitution is amended to read:

(g) The annual salary and the medical, dental, insurance, and other similar benefits of State officers shall be reduced to the amount that existed on December 31, 1997.

The California Citizens Compensation Commission may recommend to the voters an adjustment of salary and benefits for elected State officers. The recommendation of the Commission shall be submitted to the voters at the next statewide general election occurring in November at least 131 days after the recommendation is made. If



approved by a simple majority (50+1) of all votes cast for or against the recommendation, an increase in the salary and benefits of elected State officers shall be effective on and after the first Monday of the next December.

Subdivision (b) of Section 4 of Article IV of the California Constitution is amended to read:

(b) Per diem for elected State officers shall be taxable, if ~~used~~<sup>taken</sup>. The rate of per diem shall be set at the amount that existed on December 31, 1997.

The California Citizens Compensation Commission may recommend to the voters an adjustment of per diem for elected State officers. The recommendation of the Commission shall be submitted to the voters at the next statewide general election occurring in November at least 131 days after the recommendation is made. If approved by a simple majority (50+1) of all votes cast for or against the recommendation, an increase in the per diem of elected State officers shall be effective on and after the first Monday of the next December.

#### SECTION 4. Severability

If any part of the measure or the application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which reasonably can be given effect without the invalid provision or application.

1.

2.

3.